

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 4419 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE A.L.DAVE

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?

4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?

5. Whether it is to be circulated to the Civil Judge? : NO

KERSI FARAMJI DALAL

Versus

STATE OF GUJARAT

Appearance:

MR BK DAVE for Petitioner
MR SP DAVE, APP, for Respondent No. 1

CORAM : MR.JUSTICE A.L.DAVE

Date of decision: 23/07/1999

ORAL JUDGEMENT

Rule. Mr. S.P. Dave, learned Additional Public
Prosecutor waives service on behalf of the
respondent-State.

Mr. B.K. Dave, learned advocate for applicant,
states that the applicant is a legal practitioner. He
could not appear before the J.M.F.C., Poona, because of

his ill-health and non-bailable warrant is issued against him. He, therefore, seeks indulgence of this Court to enable him to appear before that Court.

The offence that is alleged is under Section 506(2) of Indian Penal Code. The applicant is, therefore, protected against the arrest in the terms of the following order :-

- 1) In the event of arrest of the applicant in connection with R.C.C. No.400 of 1998, he shall be released by the arresting authority on his furnishing a bond and a surety of the amount of Rs.2000/- for a period of one month from today, on the condition that :-
 - (a) he shall remain present before the trial court regularly as and when directed on the dates fixed;
 - (b) he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the fact of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer;
 - (c) he shall not obstruct or hamper the police investigation and not to play mischief with the evidence collected or yet to be collected by the police; and
 - (d) he shall not leave India without the permission of the Court and, if having passport, shall deposit the same before trial court within a week.

Rule is made absolute accordingly. Direct service permitted.

[A.L. DAVE, J.]

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